

Directorate-General for Internal Policies of the Union  
 Directorate for Structural and Cohesion Policies  
 Secretariat of the Committee on Culture and Education

Brussels, 15 May 2018

FP/kp

**Draft legislative opinion by Petra KAMMEREVERT**

**on the ‘Situation in Hungary’  
 (2017/2131(INL))**

**Documents:** CULT draft opinion: PA/1146285 PE618.171 v01-00  
**CULT amendments:** AM/1149431 PE619.376 v 01-00 (AMs. 1-76)

**VOTING LIST**

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph –1 (new)	<b>COMP 1</b>	<b>Rapporteur</b>	+	<i>If adopted, AMs 1 and 3 fall</i>  ► Go to <b>AM 2</b>	
	1	Milan Zver	+		
Paragraph 1	3	Milan Zver	-		
Paragraph 1	<b>2</b>	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-	<i>Deletion</i>  <i>If adopted, AM 4 falls</i>  ► Go to <b>AM 5</b>	
	4	Dominique Bilde	-		
Paragraph 1 a (new)	<b>5</b>	Dominique Bilde	-		
Paragraph 1 a (new)	6	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-		

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 1 b (new)	7	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-		
Paragraph 1 c (new)	8	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-		
Paragraph 2	<b>COMP 2</b>	<b>Rapporteur</b>	+	<i>If adopted, AMs 9, 10, 11, 12 and 13 fall</i> <b>► Go to COMP 3</b>	
	9	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-		
	10 <sup>1</sup>	<b>Rapporteur</b>	+		
	<b>Or. AM 2</b> 11	Milan Zver	-	<i>Oral amendment by Milan Zver</i>	
	12 <sup>2</sup>	Dominique Bilde	-		
	13 <sup>3</sup>	Silvia Costa	+		
Paragraph 2 a (new)	<b>COMP 3</b>	<b>Rapporteur</b>	+	<i>If adopted, AMs 14 and 19 fall</i> <b>► Go to AM 15</b>	
Paragraph 2 a (new)	14	<b>Rapporteur</b>	+		
Paragraph 3 a (new)	19	Michaela Šojdrová	-		
Paragraph 3	<b>15</b>	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-	<i>If adopted, AMs 16, 17 and 18 fall</i> <b>► Go to AM 20</b>	
	16	Dominique Bilde	-	<i>If adopted, AMs 17 and 18 fall</i> <b>► Go to AM 20</b>	
	17	Michaela Šojdrová	-	<i>If adopted, AM 18 falls</i> <b>► Go to AM 20</b>	

<sup>1</sup> If AM 9 adopted, the vote is not on the last part of the amendment “deplores, however,...Education Act”

<sup>2</sup> If AM 9 adopted, the vote is not on the last part of the amendment “notes, however...European Union”

<sup>3</sup> If AM 9 adopted, the vote is not on the last part of the amendment “notes furthermore...Education Act”

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
	18	Milan Zver	-		
Paragraph 3 a (new)	20	Angel Dzhabazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-		
Paragraph 3 b (new)	21	Angel Dzhabazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-		
Paragraph 3 c (new)	22	Angel Dzhabazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-		
Subheading 2	26	Angel Dzhabazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-	<i>Deletion</i>	
Paragraph 4	<b>COMP 4</b>	<b>Rapporteur</b>	+	<i>If adopted, AMs 27, 28, 29, 30, 31, 32 and 33 fall</i> <b>► Go to AM 34</b>	
	27	Angel Dzhabazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-	<i>Deletion</i> <i>If adopted, AMs 28, 29, 30, 31, 32 and 33 fall</i> <b>► Go to AM 34</b>	
	28	Dominique Bilde	-	<i>If adopted, AMs 29, 30, 31, 32 and 33 fall</i> <b>► Go to AM 34</b>	
	29	Michaela Šojdřová	+	<i>If adopted, AM 30 falls</i> <b>► Go to AM 31</b>	
	30	Milan Zver	-		
	31	Curzio Maltese, Liadh Ní Riada, Martina Michels, Nikolaos Chountis	+	<i>If adopted, AM 32 falls</i> <b>► Go to AM 33</b>	
	32	Silvia Costa	+		
	33	Helga Trüpel	+		
	34	Dominique Bilde	-		
	35	Dominique Bilde	-		

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 4 c (new)	36	Dominique Bilde	-		
Paragraph 4 a (new)	37	Milan Zver	-		
Paragraph 4 a (new)	38	Helga Trüpel	+	<b><i>SPLIT VOTE</i></b> <b><i>Requested by EPP</i></b>  <b><i>1<sup>st</sup> part:</i></b> <b><i>“Is of the opinion that the Commission... the values set out in Art 2 of the TFEU”;</i></b>	
			+	<b><i>2<sup>nd</sup> part:</i></b> <b><i>“recalls that in June 2015... the public perception of media freedom;”</i></b>	
Paragraph 4 b (new)	39	Helga Trüpel	+		
Paragraph 4 c (new)	40	Helga Trüpel	+		
Paragraph 4 d (new)	41	Helga Trüpel	+		
Paragraph 4 e (new)	42	Helga Trüpel	+		
Paragraph 4 f (new)	43	Helga Trüpel	+		
Paragraph 4 g (new)	44	Helga Trüpel	+		
Paragraph 4 a (new)	<b>COMP 5</b>	<b>Rapporteur</b>	+	<b><i>If adopted, AMs 48<sup>4</sup> and 53 fall</i></b>  <b>► Go to <b>COMP 6</b></b>	
Paragraph 5 a (new)	53	Curzio Maltese, Liadh Ní Riada, Martina Michels, Nikolaos Chountis	+		

<sup>4</sup> This remark concerns the second part of AM 48 : « urges...key value of the European Union.»

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 5	<b>COMP 6</b>	<b>Rapporteur</b>	+	<i>If adopted, AMs 45, 46, 47, 48<sup>5</sup>, 50, 49 and 51 fall</i> <b>► Go to AM 52</b>	
	45	Milan Zver	-	<b>Deletion</b>  <i>If adopted, AMs 46, 47, 48, 50, 49 and 51 fall</i> <b>► Go to AM 52</b>	
	46	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-	<i>If adopted, AMs 47, 48, 50, 49 and 51 fall</i> <b>► Go to AM 52</b>	
	47	Dominique Bilde	-	<i>If adopted, AM 48 falls</i> <b>► Go to AM 50</b>	
	48 <sup>6</sup>	Michaela Šojdrová	-	<i>If adopted, AM 50 falls</i> <b>► Go to AM 49</b>	
	50	Silvia Costa	+		
	49	Silvia Costa	+		
	51	Curzio Maltese, Martina Michels	+		
Paragraph 5 a (new)	<b>52</b>	Helga Trüpel	+		
Paragraph 6	54	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-	<b>Identical Deletion</b>	
	55	Milan Zver		<i>If adopted, AMs 56 and 57 fall</i> <b>► Go to AM 58</b>	
	56	Dominique Bilde	-		
	57	Helga Trüpel	+		

<sup>5</sup> This remark concerns the first part of AM 48 : « Stresses...in the past years; »

<sup>6</sup> If COMP 4 adopted, the vote is only on the first part of AM 48: « stresses...in the past years »

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 7	58	Milan Zver	-	<b>Deletion</b> <i>If adopted, AMs 60, 61 and 62 fall</i> ► Go to <b>AM 59</b>	
	60	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-	<i>If adopted, AMs 61 and 62 fall</i> ► Go to <b>AM 59</b>	
	61	Dominique Bilde	-	<i>If adopted, AM 62 falls</i> ► Go to <b>AM 59</b>	
	62	Curzio Maltese, Liadh Ní Riada, Martina Michels	+		
	59	Michaela Šojdrová	-	<i>To be voted as an addition to Paragraph 7</i>	
Paragraph 7 a (new)	<b>COMP 7</b>	<b>Rapporteur</b>	+	<i>If adopted, AMs 63 and 64 fall</i> ► Go to <b>COMP 8</b>	
Subheading 3 a (new)	63	Helga Trüpel	+		
Paragraph 7 a (new)	64	Helga Trüpel	+		
Paragraph 7 b (new)	<b>COMP 8</b>	<b>Rapporteur</b>	+	<i>If adopted, AMs 23, 24, 65 and 70 fall</i> ► Go to <b>COMP 9</b>	
Paragraph 3 a (new)	23	Curzio Maltese, Martina Michels	+		
Paragraph 3 b (new)	24	Curzio Maltese, Martina Michels	+		
Paragraph 7 b (new)	65	Helga Trüpel	+		
Paragraph 8 a (new)	70	Helga Trüpel	+		

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 8	<b>COMP 9</b>	<b>Rapporteur</b>	+	<i>If adopted, AMs 25, 71, 66 and 67 fall</i>  ► Go to <b>COMP 10</b>	
Paragraph 3 c (new)	25	Curzio Maltese, Martina Michels, Nikolaos Chountis	+		
Paragraph 8 b (new)	71	Helga Trüpel	+	<b>SPLIT VOTE</b> <i>Requested by EPP</i>  <u>1<sup>st</sup> part:</u> <i>“Believes that the situation... the values referred to in Article 2 of the TEU”</i>	
			+	<u>2<sup>nd</sup> part:</u> <i>“and warrants the launch of the Article 7(1) TEU procedure;”</i>	
	66	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-	<b>Deletion</b>  <i>If adopted, AMs 67 and 68 fall</i>  ► Go to <b>COMP 10</b>	
	67	Dominique Bilde	-		
Paragraph 8 a (new)	<b>COMP 10</b>	<b>Rapporteur</b>	+	<i>If adopted, AMs 68 and 72 fall</i>  ► Go to <b>AM 69</b>	
	68	Yana Toom	+	<i>If AM 66 adopted, AM 68 falls.</i>	

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 8 a (new)	72	Curzio Maltese, Martina Michels	+	<b><i>SPLIT VOTE requested by EPP</i></b>  <b><i>1<sup>st</sup> part:</i></b> <b><i>“Calls on the European Commission... the relocation of asylum-seekers”</i></b>	
			+	<b><i>2<sup>nd</sup> part:</i></b> <b><i>“and warrants the launch of the Article 7 TEU procedure;”</i></b>	
Paragraph 8 a (new)	69	Angel Dzhambazki, Zdzislaw Krasnodebski, Jadwiga Wisniewska	-		
Paragraph 8 b (new)	73	Curzio Maltese, Martina Michels	+		
Paragraph 8 c (new)	<b>Oral AM 1 74</b>	Curzio Maltese, Martina Michels	+	<b><i>Oral amendment 1 by Curzio Maltese</i></b>	
Paragraph 8 d (new)	75	Curzio Maltese, Martina Michels	+		
Paragraph 8 e (new)	76	Curzio Maltese, Martina Michels	+		

Final vote on the draft opinion as whole (roll call vote)		
for	against	abstentions

## **1. COMPROMISE AMENDMENTS**

### **Compromise 1 by Rapporteur on Paragraph -1 new covering Am. 1 (Milan Zver), Am. 3 (Milan Zver)**

#### **Paragraph -1 new**

- 1. *Acknowledges that in the absence of unified European norms or models in the field of Education, it belongs to the Hungarian government to establish, and periodically review, the most appropriate regulatory framework applicable to foreign universities on its territory, and to seek to improve this framework, as it is also stated in the conclusions of the Venice Commission; stresses however that according to Article 165 of the TFEU the Union shall contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their actions, while fully respecting the responsibility of the Member States for the content of teaching and the organisation of education systems as well as their cultural and linguistic diversity; stresses furthermore that the education laws implemented by the Hungarian government must be fully compatible with the internal market freedoms and fundamental rights;*

### **Compromise 2 by Rapporteur on Paragraph 2 covering Am. 10 (Rapporteur), Am. 13 (Silvia Costa)**

#### **Paragraph 2**

2. Acknowledges that the Hungarian Government has acceded to some of the demands in the Resolution of the European Parliament of 17 May 2017 on the situation in Hungary, notably as regards the suspension of the **deadlines** established in the Act amending the National Higher Education Act and the launching of a dialogue with the US authorities *responsible for the Central European University; regrets, however, that the cooperation agreement between the Hungarian government and the government of the Central European University's country of seat, which has been ready since last year, still has not been signed by the Hungarian Prime Minister; regrets furthermore* that the Hungarian Government has not rescinded the Act amending the National Higher Education Act;

### **Compromise 3 by Rapporteur on Paragraph 2a new covering Am. 14 (Rapporteur), Am. 19 (Michaela Šojdrová)**

#### **Paragraph 2a new**

- 2a. Notes, further, that suspending deadlines on a long-term basis is not conducive to *planning certainty for universities, their teaching staff and students; welcomes, in that connection, the fact that the Hungarian authorities visited the US State of New York on 13 April 2018 with a view to allaying the Hungarian Government's remaining reservations about the Central European University; regrets, however, that the cooperation agreement between the Hungarian government and the government of the Central European University's country of seat remains unsigned and unratified although the Hungarian authorities indicated during the visit that the*

*Central European University would now meet the requirements of Lex CEU; calls, therefore, on the Hungarian government to unblock and pursue the conclusion of the cooperation agreement on the Central European University which has already been negotiated with the US State of New York, so that the university can carry out its work properly;*

**Compromise 4 by Rapporteur on paragraph 4 covering Am. 29, Am. 31 (Curzio Maltese, Liadh Ní Riada, Martina Michels, Nikolaos Chountis), Am. 32 (Silvia Costa)**

**Paragraph 4**

4. *Expresses concern over the fact that **multiple forms of daily discrimination in general and** the segregation of Roma children in education **in particular** remain a **structural** and deep-rooted phenomenon in Hungary **and in other European countries**, contributing to the social exclusion of Roma **and** reducing their chances of integration in the **education system, the** labour market and in society **as a whole**; recalls that the issue of Roma segregation has been subject of a number of recommendations from the European Commission and therefore calls on the Hungarian government to follow those recommendations and implement effective measures;*

**Compromise 5 by Rapporteur on paragraph 4a new covering 48 (Michaela Šojdrová), Am. 53 (Curzio Maltese, Liadh Ní Riada, Martina Michels, Nikolaos Chountis)**

**Paragraph 4a new**

- 4a. *Recalls that media freedom and pluralism are fundamental rights enshrined in Article 11 of the EU Charter of Fundamental Rights and constitute essential foundations of democratic societies; urges, therefore, the Hungarian government to guarantee media freedom and pluralism as a key value of the European Union;*

**Compromise 6 by Rapporteur on paragraph 5 covering Am. 48 (Michaela Šojdrová), Am. 49 (Silvia Costa), Am. 50 (Silvia Costa)**

**Paragraph 5**

5. Stresses, with reference to the ‘Democracy Index 2017’ published recently by the Economist Intelligence Unit (EIU) **and to the 2018 World Press Freedom Index by Reporters Without Borders**, that, as a result of State intervention and increased State control, media freedom **and pluralism** have been **source of major concern in Hungary** in the past years; **expresses its concerns**, in this connection, over the sale **and subsequent closure** of Népszabadság, one of the oldest and most prestigious newspapers in Hungary;

**Compromise 7 by Rapporteur on Paragraph 7a new covering Am. 63 (Helga Trüpel), Am. 64 (Helga Trüpel)**

**Paragraph 7a new**

**Non-governmental Organisations**

- 7a. *Is deeply worried by the shrinking space for civil society organisations in Hungary; regrets in this regard the attempts of the Hungarian government to control NGOs and to restrict their ability to carry out their legitimate work, notably through the Lex NGO and the Lex Stop Soros;***

**Compromise 8 by Rapporteur on Paragraph 7b new covering Am. 23 (Curzio Maltese, Martina Michels) Am. 24 (Curzio Maltese, Martina Michels), Am. 64 (Helga Trüpel), Am. 65 (Helga Trüpel), Am. 70 (Helga Trüpel)**

**Paragraph 7b new**

- 7b. *Points out that the Lex NGO, a legislation on foreign-funded NGOs, interferes unduly with fundamental rights as enshrined in the Charter of Fundamental Rights of the European Union, in particular the right to freedom of association, introduces unjustified and disproportionate restrictions to the free movement of capital and raises concerns about the respect of the right to protection of private life and of personal data; emphasizes that the Commission was therefore forced to initiate proceedings before the Court of Justice of the European Union on the Lex NGO; regrets deeply that, despite the ongoing proceedings before the Court of Justice of the European Union on the Lex NGO, the Hungarian government introduced another law in February 2018, the so-called Lex Stop Soros, which intends to further restrict the right of association and the work of NGOs; deplores in this regard the intention of the Hungarian government to force-close all Soros funded NGOs and to require a state permit for NGOs to work on the field of migration; is deeply concerned that the proposed laws could serve as a model within the EU that will undermine the valuable work of civil society organisations fighting for the respect of human rights, a danger that the EU Fundamental Rights Agency has recently underlined; draws further the attention to the fact that the governing party has built a network of government organised NGOs, supported by public funds, whose main activity is to echo the governments messages and to organise demonstrations on the side of the government;***

**Compromise 9 by Rapporteur on Paragraph 8 covering Am. 25 (Curzio Maltese, Martina Michels, Nikolaos Chountis), Am. 71 (Helga Trüpel)**

**Paragraph 8**

- 8. *Believes that the situation in the field of Higher Education, Roma education, media freedom and pluralism as well as NGOs in Hungary represent a clear risk of a serious breach of the values referred to in Article 2 of the TEU; therefore urges the Commission to continue to deploy all means available under the Treaties;***

**Compromise 10 by Rapporteur on Paragraph 8a new covering Am. 68 (Yana Toom),  
Am. 71 (Helga Trüpel), Am. 72 (Curzio Maltese, Martina Michels)**

**Paragraph 8a new**

***8a. Warrants, in this connection, the launch of the Article 7 TEU procedure, in order to uphold the Union's common values and to guarantee the rule of law;***

## **2. ORAL AMENDMENTS**

### **Oral amendment 1 by Curzio Maltese on AM 74 (Curzio Maltese) on paragraph 8 c (new)**

**8 c. Calls on the OSCE/ODIHR to engage in a follow up process within the election observation mission activities after the outcome of the Hungary's parliamentary elections, to closely monitor the misuse of the freedom of expression, the abuse of the administrative resources;**

### **Oral amendment 2 by Milan Zver on AM 11 (Milan Zver) on paragraph 2**

2. Acknowledges that the Hungarian Government has acceded to ~~the~~ demands in the Resolution of the European Parliament of 17 May 2017 on the situation in Hungary, notably as regards the suspension of the deadlines established in the Act amending the National Higher Education Act and the launching of a dialogue with the relevant US authorities; notes, however, that the Hungarian Government has not rescinded the Act amending the National Higher Education Act;